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Rhonda Dunn
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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of MAKAREWICZ et al.

Application No: 09/954,856

Filed: September 17, 2001

**Title: METHOD AND APPARATUS FOR MINIMIZING
SPECTRAL INTERFERENCE DUE TO WITHIN
AND BETWEEN SAMPLE VARIATIONS DURING
IN-SITU SPECTRAL SAMPLING OF TISSUE**

Examiner: KREMER, Matthew J.

Art Unit: 3736

Atty. Docket No: IMET0066

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Date: June 28, 2004

**Commissioner for Patents
Mail Stop Non Fee Amendment
P.O. Box 1450
Alexandria, VA 22313-1450**

AMENDMENT

Sir:

This amendment is submitted in response to the Office Action dated April 7, 2004 in the above-identified United States Patent Application. A list of pending claims is provided herewith for the convenience of the Examiner, and starts on page 2 of this paper. The remarks begin on page 10 of this paper.

The Application is amended as follows:

- Claims 30, 34 and 54 are amended; and
- Claim 33 is cancelled from the application.